

From: [Johnson, Laura](#)
To: [DeMaria, Eva](#); liverman.alex@deq.state.or.us; [Brozusky, Sandra](#)
Subject: RE: EPA participation in stormwater inspections in Portland Harbor
Date: Wednesday, April 06, 2016 3:09:49 PM

(b) (6)

Dear Eva, The SWPCP is posted on the ftp site, link above. Their tier 2 plan is within the SWPCP.
LJ

From: DeMaria, Eva [mailto:DeMaria.Eva@epa.gov]
Sent: Monday, April 04, 2016 3:09 PM
To: Johnson, Laura <Laura.Johnson@portlandoregon.gov>
Subject: RE: EPA participation in stormwater inspections in Portland Harbor

Thanks for arranging and the flexibility. One last question, could you send us a copy of their SWPPP? Thanks.

From: Johnson, Laura [mailto:Laura.Johnson@portlandoregon.gov]
Sent: Monday, April 04, 2016 3:05 PM
To: DeMaria, Eva <DeMaria.Eva@epa.gov>; LIVERMAN Alex <liverman.alex@deq.state.or.us>
Cc: Sanders, Dawn <Dawn.Sanders@portlandoregon.gov>; Pronold, Michael <Michael.Pronold@portlandoregon.gov>; Svetkovich, Christine <svetkovich.christine@deq.state.or.us>; MURPHY E.Jay <Murphy.Elizabeth@deq.state.or.us>; Brozusky, Sandra <Brozusky.Sandra@epa.gov>
Subject: RE: EPA participation in stormwater inspections in Portland Harbor

I confirmed a 10 AM start time with the US Moorings. See you then.

Laura

From: DeMaria, Eva [mailto:DeMaria.Eva@epa.gov]
Sent: Monday, April 04, 2016 2:30 PM
To: LIVERMAN Alex <liverman.alex@deq.state.or.us>; Johnson, Laura <Laura.Johnson@portlandoregon.gov>
Cc: Sanders, Dawn <Dawn.Sanders@portlandoregon.gov>; Pronold, Michael <Michael.Pronold@portlandoregon.gov>; Svetkovich, Christine <svetkovich.christine@deq.state.or.us>; MURPHY E.Jay <Murphy.Elizabeth@deq.state.or.us>; Brozusky, Sandra <Brozusky.Sandra@epa.gov>
Subject: RE: EPA participation in stormwater inspections in Portland Harbor

Laura-

Sounds like 10 is a possibility. If you could as Corps staff, that'd be great, and if there are any issues beyond SW they want to discuss. Thanks.

Eva

From: LIVERMAN Alex [<mailto:liverman.alex@deq.state.or.us>]
Sent: Monday, April 04, 2016 1:20 PM
To: 'Johnson, Laura' <Laura.Johnson@portlandoregon.gov>; DeMaria, Eva <DeMaria.Eva@epa.gov>
Cc: Sanders, Dawn <Dawn.Sanders@portlandoregon.gov>; Pronold, Michael <Michael.Pronold@portlandoregon.gov>; SVETKOVICH Christine <SVETKOVICH.Christine@deq.state.or.us>; MURPHY E.Jay <Murphy.Elizabeth@deq.state.or.us>; Brozusky, Sandra <Brozusky.Sandra@epa.gov>
Subject: RE: EPA participation in stormwater inspections in Portland Harbor

I also heard from Chris Budai, USACE PM for the cleanup, that she and two folks from Seattle would also be joining, in addition to the regular contact for the permit.

From: Johnson, Laura [<mailto:Laura.Johnson@portlandoregon.gov>]
Sent: Monday, April 04, 2016 1:15 PM
To: DeMaria, Eva; LIVERMAN Alex
Cc: Sanders, Dawn; Pronold, Michael; SVETKOVICH Christine; MURPHY E.Jay; Brozusky, Sandra
Subject: RE: EPA participation in stormwater inspections in Portland Harbor

In attendance from Agencies:

Eva DeMaria
Sandra Brozusky
Laura Johnson
Michael Pronold
Alex Liverman

Is 10 an ok start time? I can send an email to US Moorings and see if that works.

Laura J.

From: DeMaria, Eva [<mailto:DeMaria.Eva@epa.gov>]
Sent: Monday, April 04, 2016 1:01 PM
To: LIVERMAN Alex <liverman.alex@deq.state.or.us>; Johnson, Laura <Laura.Johnson@portlandoregon.gov>
Cc: Sanders, Dawn <Dawn.Sanders@portlandoregon.gov>; Pronold, Michael <Michael.Pronold@portlandoregon.gov>; Svetkovich, Christine <svetkovich.christine@deq.state.or.us>; MURPHY E.Jay <Murphy.Elizabeth@deq.state.or.us>; Brozusky, Sandra <Brozusky.Sandra@epa.gov>
Subject: RE: EPA participation in stormwater inspections in Portland Harbor

All-

As you've probably heard, Sandra Brozusky, an EPA inspector, will be joining me on this inspection.

While we understand that BES will be the lead in this joint inspection, I believe this would be a great opportunity for our agencies to share experiences and learn from each other. It also sounds like a pretty large crew will be participating and I was wondering who that might be so we can come prepared. Finally, I just heard that a previously planned DEQ-EPA meeting for April 13, 1-3 pm has been cancelled (which I think was the same meeting that Alex and I were planning on attending), so the urgency to complete the SW inspection at US Moorings by 12 noon is no longer there. If it's not too much trouble, I was wondering if we could move the start time of the inspection to around 10 am or later which will give us a more reasonable time to leave Seattle? Also, other than SW, does US Moorings or others have an expectation to discuss other issues? Thanks.

Eva

From: LIVERMAN Alex [<mailto:liverman.alex@deq.state.or.us>]

Sent: Tuesday, March 08, 2016 10:46 AM

To: DeMaria, Eva <DeMaria.Eva@epa.gov>; Johnson, Laura <Laura.Johnson@portlandoregon.gov>

Cc: Sanders, Dawn <Dawn.Sanders@portlandoregon.gov>; Pronold, Michael

<Michael.Pronold@portlandoregon.gov>; SVETKOVICH Christine

<SVETKOVICH.Christine@deq.state.or.us>; MURPHY E.Jay <Murphy.Elizabeth@deq.state.or.us>

Subject: EPA participation in stormwater inspections in Portland Harbor

Hi Eva and Laura (and all).

I talked this through with Christine, DEQ's NWR stormwater program manager, and here's what we think.

We are happy to have EPA CERCLA source control staff join us on site visits to Portland Harbor sites. Rich Muza joined us on several site visits when he was in that position. EPA stormwater inspectors are also welcome, when there is a stormwater pathway investigation and permit in place at the subject site. However, Christine has been working with EPA stormwater program staff on arranging for EPA to help DEQ out by conducting some inspections in areas outside the City of Portland, as DEQ has staff limitations in areas where we do not have assistance from agents, like the City of Portland. While this EPA-DEQ coordination is in line with our Performance Partnership Agreement and is a future possibility, to date EPA has not been able to provide staff to do these inspections, as they are also limited.

Per the DEQ-City IGA on stormwater program cooperation, the City, as DEQ's agent, leads stormwater permit inspections. DEQ Cleanup staff (typically Alex as PH Stormwater Coordinator and the DEQ Cleanup project manager for the site) participate with the City inspector on site and the City follows up with paperwork, etc. to the site and copies DEQ. The City follows the enforcement matrix on issuing communications to the site and referring enforcement to DEQ. DEQ's Office of Compliance and Enforcement maintains the lead on permit enforcement, assisted by City inspectors.

As such, we expect that the City will maintain the lead on sites under 1200Z permits, despite the US Moorings, USCG or US Navy sites being federal facilities and that EPA will participate as DEQ

currently does. EPA's involvement may be helpful, if there is a need to pursue enforcement on one of the federal facilities. For example, DEQ issued a Dec 2013 penalty to USACE on the US Moorings site for permit non-compliance, following referral by the City. While the site did continue working with the City to improve conditions and regain compliance, they did not pay the fine, citing 33 USC Sec 1323 (federal facilities section of the CWA) as not authorizing payment of fines and 31 USC Section 1301 a (the Purpose Statute) as prohibiting them from paying it. If an EPA stormwater inspector deems it appropriate to pursue enforcement on a federal facility after inspecting, DEQ would then work with EPA to find the appropriate path forward.

So, it is up to you, Eva, if you want to request EPA stormwater inspector participation. Meanwhile, Laura and I can work with you to try to find a date that might work for you to join us. Because Laura has to inspect a lot of facilities, though, I want to make sure that we don't hold her up, if it is difficult for you to travel down to make the site visit.

I have also discussed a site visit for you with Gunderson and will coordinate, as needed with Tim Dean to get that scheduled. Unfortunately, Tim is not available to join us at the Schnitzer site visit since it was rescheduled to Mar 31st, but we will follow up with him after.

Thanks all and feel free to follow up with me or Christine as needed.

--Alex

From: DeMaria, Eva [<mailto:DeMaria.Eva@epa.gov>]
Sent: Tuesday, March 01, 2016 3:07 PM
To: Johnson, Laura; Sanders, Dawn; Pronold, Michael; LIVERMAN Alex
Subject: RE: Info on US Moorings and Navy Reserve Swan Island

Thanks, Laura. It'd be great if I could bring an EPA SW inspector. However, before I make the request, I think we have to clarify how the inspection would be conducted. I've done joint inspections with DEQ in the past where DEQ was the lead agency. Because US Moorings is a federal facility, there might be a preference for this to be a joint inspection with EPA as lead. Please ask your management/DEQ if this is possible and what their preference might be. Once I hear back from you, I can get the ball rolling here. Thanks!

From: Johnson, Laura [<mailto:Laura.Johnson@portlandoregon.gov>]
Sent: Tuesday, March 01, 2016 12:57 PM
To: DeMaria, Eva <DeMaria.Eva@epa.gov>; Sanders, Dawn <Dawn.Sanders@portlandoregon.gov>; Pronold, Michael <Michael.Pronold@portlandoregon.gov>; LIVERMAN Alex (<liverman.alex@deq.state.or.us> <liverman.alex@deq.state.or.us>)
Subject: RE: Info on US Moorings and Navy Reserve Swan Island

I think it would be best to just schedule one inspection. I think it would be fine to bring along an EPA stormwater inspector as well. I would value the opportunity to learn from that individual. Maybe let me know a few dates and I will see about the availability of the US Moorings staff.

Gunderson is managed by Tim Dean, and it would likely be at least a half day inspection I would

imagine.

Laura J.

From: DeMaria, Eva [<mailto:DeMaria.Eva@epa.gov>]
Sent: Tuesday, March 01, 2016 12:06 PM
To: Johnson, Laura <Laura.Johnson@portlandoregon.gov>; Sanders, Dawn <Dawn.Sanders@portlandoregon.gov>; Pronold, Michael <Michael.Pronold@portlandoregon.gov>; LIVERMAN Alex (liverman.alex@deq.state.or.us) <liverman.alex@deq.state.or.us>
Subject: RE: Info on US Moorings and Navy Reserve Swan Island

Hi Laura-

I'd be interested in any Portland Harbor site that BES would normally inspect under its stormwater program. I've been wanting to go to Gunderson, but I realize that's probably a whole day inspection and something that Alex would probably want to arrange. I see this largely as an opportunity for me to learn from you and how BES does its inspections. If you're okay with it (and if it can be arranged on this side), I may be able to bring along an EPA stormwater inspector. Thanks!

Eva

From: Johnson, Laura [<mailto:Laura.Johnson@portlandoregon.gov>]
Sent: Tuesday, March 01, 2016 11:02 AM
To: DeMaria, Eva <DeMaria.Eva@epa.gov>; Sanders, Dawn <Dawn.Sanders@portlandoregon.gov>; Pronold, Michael <Michael.Pronold@portlandoregon.gov>; LIVERMAN Alex (liverman.alex@deq.state.or.us) <liverman.alex@deq.state.or.us>
Subject: RE: Info on US Moorings and Navy Reserve Swan Island

Hi Eva,
I got your phone message from yesterday afternoon.

You mentioned you may want to also visit one or two other sites in the same day. What other site are you interested in?

Laura J.

From: DeMaria, Eva [<mailto:DeMaria.Eva@epa.gov>]
Sent: Friday, February 26, 2016 3:23 PM
To: Johnson, Laura <Laura.Johnson@portlandoregon.gov>; Sanders, Dawn <Dawn.Sanders@portlandoregon.gov>; Pronold, Michael <Michael.Pronold@portlandoregon.gov>; LIVERMAN Alex (liverman.alex@deq.state.or.us) <liverman.alex@deq.state.or.us>
Subject: Re: Info on US Moorings and Navy Reserve Swan Island

Hi Laura-

Thanks for inviting me. I am interested, but I have to look at my schedule when I get back to the office on Monday. I'll let you know next week. Thanks.

Eva

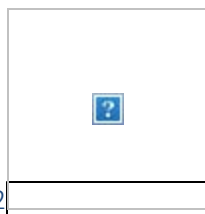
From: Johnson, Laura <Laura.Johnson@portlandoregon.gov>
Sent: Thursday, February 25, 2016 2:24 PM
To: DeMaria, Eva; Sanders, Dawn; Pronold, Michael; LIVERMAN Alex (liverman.alex@deq.state.or.us)
Subject: RE: Info on US Moorings and Navy Reserve Swan Island

Dear Eva,

We emailed last fall about the US Moorings site. I am planning on scheduling the annual stormwater inspection at the facility in the next two weeks or so, and I thought I would see if there is any interest on your end in attending the inspection.

Please let me know if you are interested.

Laura Johnson
City of Portland Industrial Stormwater Program



503-823-7192

From: DeMaria, Eva [<mailto:DeMaria.Eva@epa.gov>]
Sent: Tuesday, October 27, 2015 3:32 PM
To: Johnson, Laura <Laura.Johnson@portlandoregon.gov>; Scheffler, Linda <Linda.Scheffler@portlandoregon.gov>; Pronold, Michael <Michael.Pronold@portlandoregon.gov>
Cc: Kim, Stacey <Kim.Stacey@epa.gov>; LIVERMAN Alex (liverman.alex@deq.state.or.us) <liverman.alex@deq.state.or.us>; Matt McClincy (mcclincy.matt@deq.state.or.us) <mcclincy.matt@deq.state.or.us>; Sheldrake, Sean <sheldrake.sean@epa.gov>
Subject: RE: Info on US Moorings and Navy Reserve Swan Island

Thanks, Laura. I'll let our NPDES Compliance Unit know, but with the information provided about both sites, it's likely to be a low priority on their list. I'll let you know if this gains traction. Thanks!

From: Johnson, Laura [<mailto:Laura.Johnson@portlandoregon.gov>]
Sent: Thursday, October 22, 2015 8:07 AM
To: DeMaria, Eva <DeMaria.Eva@epa.gov>; Scheffler, Linda <Linda.Scheffler@portlandoregon.gov>; Pronold, Michael <Michael.Pronold@portlandoregon.gov>

Cc: Kim, Stacey <Kim.Stacey@epa.gov>; LIVERMAN Alex (liverman.alex@deq.state.or.us)
<liverman.alex@deq.state.or.us>; Matt McClincy (mcclincy.matt@deq.state.or.us)
<mcclincy.matt@deq.state.or.us>; Sheldrake, Sean <sheldrake.sean@epa.gov>
Subject: RE: Info on US Moorings and Navy Reserve Swan Island

Dear Eva,

Here are my thoughts in response to your email earlier this month:

US Moorings:

I would be happy to participate in a joint inspection at the US Moorings site in the near future. I do have concerns about the ongoing stormwater quality at this facility.

Their Tier 2 plan to address copper and zinc at Outfall B included adding specialized metalzorb media in some catch basins and roof downspouts. They installed these measures long before the 6-30-16 deadline and they are now evaluating the effectiveness. The 1200Z permit includes a requirement to complete a Benchmark Exceedance Report if additional exceedances occur after the installation of the treatment measures. They had exceedances in the Spring of 2015, and prepared a Benchmark Exceedance Report in response. So they are working within the requirements of the permit.

To respond to your thoughts about erodible soils: There is an area of the site that is unpaved. There are also areas of the site with damaged pavement. In addition, during my 10/3/13 inspection drainage basin A had a significant amount of sediment that needed to be cleaned up.

US Naval Facility:

I have not been to this facility. It was inspected by the City Industrial Stormwater Program in 2003. Their SIC code is 9711-National Security and Training. The inspection notes did not discuss what activities are done on the dock. I do not know if either Sector R or Q apply to their operations.

They may have installed a grassy swale along the river in 2010, but I am not sure. Our file has a single erosion control map dated 1/20/2010, but there was not a permit for any work at that time thru the Bureau of Development Services, and I have no additional information.

A joint inspection at this facility would be beneficial as well. Stormwater from this facility discharges to the municipal storm sewer system.

Will you also be looking into the operations at the US Coast Guard facility at 6767 N Basin Ave? It is located right next door to the US Naval facility. Alex and I went out there a few years ago.

Please let me know if I can be of further assistance. Sorry for the delayed response.

Laura Johnson

City of Portland Industrial Stormwater Program



503-823-7192

From: DeMaria, Eva [<mailto:DeMaria.Eva@epa.gov>]
Sent: Friday, October 02, 2015 2:50 PM
To: Johnson, Laura <Laura.Johnson@portlandoregon.gov>
Cc: Kim, Stacey <Kim.Stacey@epa.gov>; LIVERMAN Alex (liverman.alex@deq.state.or.us)
<liverman.alex@deq.state.or.us>; Matt McClincy (mcclincy.matt@deq.state.or.us)
<mcclincy.matt@deq.state.or.us>; Sheldrake, Sean <sheldrake.sean@epa.gov>
Subject: FW: Info on US Moorings and Navy Reserve Swan Island

Laura-

Thanks for talking with me about the US Moorings and USN facilities. Here's the email chain we discussed. As I mentioned, Alex requested EPA look into SW issues at both facilities as based on her knowledge of the sites, there were some concerns. However, after talking a bit more in depth with her this afternoon, it sounds like the concern at US Moorings was more the SW infiltration and impacts to GW. EPA apparently issued a RCRA 3013 order to the Corps to do an investigation of ongoing sources and they complied with and completed the order. Are you aware of any erodible soils, open areas in which SW could impact surface waters (even through the GW pathway)? You stated that US Moorings has been mostly cooperative. Most recently, they've exceeded their benchmarks and are now in the midst of implementing Tier 2 corrective actions. If you think it might be worthwhile for EPA to conduct a SW inspection of the site, I can request an inspection. It can be a joint inspection (whether EPA is the lead or not can be discussed later) and an opportunity for EPA to see and learn how BES conducts inspections and vice versa.

In regards to the US Naval facility, as I understand it, the facility does not have SW coverage because it doesn't fall under one of the SIC classifications. Do you know what activities occur at the facility? I looked at maps and noticed that there is a dock. Could the site fall under Sector Q (Water Transportation) or R (Ship and Boat Building and Repairing Yards)? It's unclear to me whether this site should be inspected under CWA or other authorities. Any insight would be appreciated. Thanks.

Eva

Eva DeMaria

Office of Environmental Cleanup | Superfund Site Cleanup Unit #2
U.S. EPA Region 10 | 1200 Sixth Avenue, Ste. 900, ECL-122 | Seattle, WA 98101



P: 206-553-1970 | demaria.eva@epa.gov

From: LIVERMAN Alex [<mailto:liverman.alex@deq.state.or.us>]

Sent: Thursday, July 30, 2015 2:53 PM

To: DeMaria, Eva

Cc: MCCLINCY Matt; Sheldrake, Sean

Subject: RE: Info on US Moorings and Navy Reserve Swan Island

Hi Eva.

The US Moorings site operates under the 1200Z permit. The City of Portland is DEQ's agent for the 1200Z registrants in Portland and inspects this facility. The latest inspection info, enforcement referrals and DEQ and USACE response documents are attached. I also included the email on contacts for the dock work coordination for the 404-like process that Sean mentioned. I believe the last contact, Jody Marshall, has left the USACE, though. Back to Chris Budai...

The Navy Reserve site was referred to EPA for source control work in 2011 after being non-responsive to DEQ's efforts. There is very little information available on that site.

The Coast Guard site (next door to the Navy) has been cooperative on source control efforts with DEQ. Dan Hafley is the current project manager and we did a joint site visit with the City of Portland inspector a few years back. Even though USCG doesn't have a permit, it is a site with industrial activities that the City inspects every so often and gives technical advice to under their authority of the MS4 permit and City Code. USCG is currently implementing additional source control measures and subsequent effectiveness monitoring and we expect to write a SCD in 2016.

Thanks again for the offer of 1200Z enforcement help, but we have that covered through the appropriate channels (City referrals and DEQ Office of Compliance and Enforcement) per our Performance Partnership Agreement with EPA Region Office of Water. I will certainly keep you posted on sites that can use a nudge from EPA to support DEQ's requests for source control work (stormwater, groundwater or soils/banks), though, whether they have an NPDES nexus or not.

Talk to you again soon...

--Alex

From: DeMaria, Eva [<mailto:DeMaria.Eva@epa.gov>]

Sent: Thursday, July 30, 2015 2:26 PM

To: LIVERMAN Alex

Cc: MCCLINCY Matt; Sheldrake, Sean

Subject: Info on US Moorings and Navy Reserve Swan Island

Hi Alex-

During our meeting yesterday, you mentioned that DEQ/the City? had attempted to obtain SW information from US Moorings and the US Navy Reserve on Swan Island as part of your source control evaluations. Both have proven recalcitrant. If you could send me what inspection reports, storm water info you have on both sites, that would be most appreciated. Coast Guard too?

Also, as I've mentioned previously, and I know I'm sounding like a broken record, if you have facilities that are either taking either too long in complying with the 1200Z permit or the CWA, and you believe they need a little push (or inspection) from EPA, please pass those names on to me. The NPDES Compliance Unit here usually plans inspections a year ahead of schedule and the targeting for inspections in 2016 is happening now.

Thanks again.

Eva DeMaria

Office of Environmental Cleanup

U.S. EPA Region 10 | 1200 Sixth Avenue, Ste. 900, ECL-122 | Seattle, WA 98101



P: 206-553-1970 | demaria.eva@epa.gov